

Remarks

Claims 1-10, 15, 17-19, 21, 22, 24, 25, 27-29, 31, 32, 34, 35, 51 and 53 are currently pending in this case. Applicants have now deleted claims 11 and 16 without disclaimer and prejudice and have now amended claims 1-4, 7-10, 15, 17 and 27. No new matter is introduced thereby.

Priority

Examiner's observations regarding the status of this application as a 371 application, from PCT/IB02/03433, filed August 23, 2002 are correct. No claim for priority is made.

Information Disclosure Statement

Applicants thank the Examiner for acknowledging and considering the IDS filed August 1, 2005.

Specification

Applicants hereby provide a clear copy of the abstract as presented in the WO publication.

Rejections Under 35 U.S.C. §112, First Paragraph

Claims 1-3, 7-9, and 17 have been rejected as not enabled for compounds wherein Ar is heteroaryl, X is oxygen, sulfur or nitrogen, and/or Y is CHR_5CO or $(\text{CH}_2)_q$, wherein q is an integer of 1-4. Applicants have amended claims 1-3, 7-9 and 17 accordingly, by deleting such values for these structural variables, and the rejection is thus believed to be moot.

Claims 1, 7, 17 and 27 have been rejected as not enabled for compounds which are solvates, esters, polymorphs, prodrugs or metabolites. Applicants have amended claims 1, 7, 17 and 27 accordingly, by deleting these phrases as suggested by the Examiner, and the rejection is thus believed to be moot.

Claims 7 and 15 have been rejected as not enabled for the treatment or prophylaxis for any diseases or disorders of the respiratory, urinary, and gastrointestinal systems. Applicants have amended claims 7 and 15 accordingly, by incorporating the limitations of claim 11 into claim 7, and by incorporating the limitations of claim 16 into claim 15 (clarified by brief

telephone call to the Examiner), as suggested by the Examiner, and the rejection is thus believed to be moot.

Claim Objections

Claims 1, 2, 7, 8, and 17 were objected to, as the definition of Y was confusing for lacking a comma after the variable "methyl." However, since this portion of the definition of Y has been deleted from the claims, this change was found to be unnecessary.

Claims 1-4, 7-10, 17 and 27 were objected to, as the definition of Q was confusing for lacking commas after the variables "alkenyl" and "alkoxy." Applicants have amended claims 1-4, 7-10,, 17 and 27, and this objection is believed to be moot.


Claims 4, 6, 10, 11, 16, 18, 19, 21, 22, 24, 25, 28, 29, 31, 32, 34, 35, 51 and 53 were objected to as being dependent from rejected base claims, but would be found allowable if rewritten as independent claims, including all the limitations of the base claim and any intervening claims. However, certain of these claims have been cancelled, and any currently pending claims in this list are now believed to depend from allowable claims, as set forth in the explanation of amendments given above.

Conclusion

It is now submitted that all pending claims are currently in condition for allowance, and notification of such allowance is respectfully requested at this time.

Respectfully submitted,

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Date: March 2, 2007
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